

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Nathan Andrew Bryant,

Civil No. 11-1069 (DWF/SER)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Department of the Army (DOA),

Defendant.

Nathan Andrew Bryant, *Pro Se*, Plaintiff.

This matter is before the Court upon Plaintiff Nathan Andrew Bryant's ("Plaintiff") objections to Magistrate Judge Steven E. Rau's April 29, 2011 Report and Recommendation insofar as it recommends that: (1) Plaintiff's application to proceed *in forma pauperis* be denied; (2) Plaintiff's Motion to File in Conjunction with United States District Court - District of Minnesota Case *Nathan Andrew Bryant, M.S.Ed. v. National Security Agency (NSA)*, Case Number: 10-cv-4788 be denied; and (3) this action be summarily dismissed pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).¹

¹ After the Report and Recommendation was filed, Plaintiff filed two additional motions: a "Motion for the Supplement of the Record," and a "Motion for Court's Recognition of Viable Claim for Relief." (Doc. Nos. 13 & 17.) Because the Court adopts the Report and Recommendation and dismisses the case, these subsequent motions are denied as moot. The Court has nevertheless reviewed these motions and the accompanying submissions and concludes that the additional submissions fail to remedy the Complaint's deficiencies as set forth in the Report and Recommendation.

The Court has conducted a *de novo* review of the record, including a review of the arguments and submissions of counsel, pursuant to 28 U.S.C. § 636(b)(1) and Local Rule 72.2(b). The factual background for the above-entitled matter is clearly and precisely set forth in the Report and Recommendation and is incorporated by reference for purposes of Plaintiff's objections.

Based upon the *de novo* review of the record and all of the arguments and submissions of the parties and the Court being otherwise duly advised in the premises, the Court hereby enters the following:

ORDER

1. Plaintiff Nathan Andrew Bryant's objections (Doc. No. [10]) to Magistrate Judge Steven E. Rau's April 29, 2011 Report and Recommendation are **DENIED**.

2. Magistrate Judge Steven E. Rau's April 29, 2011 Report and Recommendation (Doc. No. [5]), is **ADOPTED**.

3. Plaintiff's application to proceed *in forma pauperis* (Doc. No. [2]) is **DENIED**.

4. Plaintiff's Motion to File in Conjunction with United States District Court - District of Minnesota Case *Nathan Andrew Bryant, M.S.Ed. v. National Security Agency (NSA)*, Case Number: 10-cv-4788 (Doc. No. [3]) is **DENIED**.

5. This action is summarily **DISMISSED** pursuant to 28 U.S.C § 1915(e)(2)(B)(ii).

6. Plaintiff's Motion for the Supplement of the Record (Doc. No. [13]) is **DENIED AS MOOT.**

7. Plaintiff's Motion for Court's Recognition of Viable Claim for Relief (Doc. No. [17]) is **DENIED AS MOOT.**

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 14, 2011

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge